

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

BRUCE SILVA,
a/k/a "Brucie,"
BRUCE MELVIN,
a/k/a "BG,"
JORDAN BENNETT,
a/k/a "Billy Bandz,"
a/k/a "J Bills,"
ELIJAH POUGH,
a/k/a "Eli,"
SHADELL MCBRIDE,
a/k/a "Deli,"
JUSTIN BALLESTER,
a/k/a "J-Gunz,"
ALZUBAIR SALEH,
a/k/a "Sammy,"
GIOVANNI RODRIGUEZ,
a/k/a "Karrot,"
GABRIEL VALDEZ,
a/k/a "Wolf," and
EMMANUEL PEREZ,
a/k/a "Manny,"
a/k/a "Haven,"

Defendants.

SEALED INDICTMENT

23 Cr.

23 CRIM 204

COUNT ONE
(Racketeering Conspiracy)
(All Defendants)

The Grand Jury charges:

THE DUB CITY ENTERPRISE

1. From at least in or about 2019 through at least in or about April 2023, BRUCE SILVA, a/k/a "Brucie," BRUCE MELVIN, a/k/a "BG," JORDAN BENNETT, a/k/a "Billy

Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, and others known and unknown, were members and associates of a criminal organization that operated principally in the Mt. Hope / Morris Heights section of the Bronx, New York (“Dub City” or the “Enterprise”). Members and associates of Dub City engaged in, among other activities, narcotics trafficking, bank fraud, robberies, and acts involving murder and assault.

2. Dub City, including its leadership, its membership, and its associates, constituted an “enterprise,” as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. Dub City constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Dub City. At all times relevant to this Indictment, Dub City was engaged in, and its activities affected, interstate and foreign commerce.

3. BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, participated in unlawful and other activities in furtherance of the conduct of Dub City’s affairs.

PURPOSES OF DUB CITY

4. The purposes of Dub City included the following:

a. Preserving and protecting the power and territory of Dub City and its members and associates through acts involving murder, assault, robberies, other acts of violence, and threats of violence.

b. Enriching the members and associates of Dub City through, among other things, (1) the distribution of narcotics and controlled substances, including fentanyl, heroin, cocaine, oxycodone, and marijuana; (2) financial frauds; and (3) robberies.

c. Promoting and enhancing Dub City and the reputation and activities of its members and associates.

d. Providing assistance to members and associates who committed crimes for and on behalf of Dub City.

MEANS AND METHODS OF DUB CITY

5. Among the means and methods employed by the members and associates in conducting and participating in the conduct of the affairs of Dub City were the following:

a. Members and associates of Dub City committed and conspired, attempted, and threatened to commit, acts of violence, including acts involving murder and assault, to protect and to expand Dub City's criminal operations, resolve disputes within Dub City, and to retaliate against rival gangs.

b. Members and associates of Dub City sold narcotics and controlled substances, including fentanyl, heroin, cocaine, oxycodone, and marijuana.

c. Members and associates of Dub City committed financial frauds by (1) depositing fraudulent checks into bank accounts controlled by members and associates of Dub City, and (2) submitting fraudulent unemployment claims.

d. Members and associates of Dub City committed robberies.

e. Members and associates of Dub City obtained, possessed, and used firearms and ammunition.

THE RACKETEERING CONSPIRACY

6. From at least in or about 2019 through at least in or about April 2023, in the Southern District of New York and elsewhere, BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, and others known and unknown, being persons employed by and associated with the racketeering enterprise described in Paragraphs One through Five of this Indictment, namely, Dub City, which enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of Dub City through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of:

a. multiple acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25 (murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.05 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

c. multiple offenses involving the distribution of narcotics and controlled substances, including fentanyl, heroin, cocaine, oxycodone, and marijuana chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2 (aiding, abetting, and willfully causing);

d. multiple acts indictable under Title 18, United States Code, Sections 1343 (relating to wire fraud) and 1344 (relating to financial institution fraud), and Title 18, United States Code, Section 2 (aiding, abetting, and willfully causing); and

e. multiple acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion) and 2 (aiding, abetting, and willfully causing).

7. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of Dub City.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(SILVA)

The Grand Jury further charges:

8. At all times relevant to this Indictment, Dub City, as described in Paragraphs One through Five of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, members, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which is engaged in, and the activities of which affected, interstate and foreign commerce. Dub City constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Dub City.

9. At all times relevant to this Indictment, Dub City, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law; acts involving robbery, in violation of New York Penal Law; offenses involving the distribution of controlled substances, including fentanyl, heroin, cocaine, oxycodone, and marijuana, chargeable under Title 21, United States Code, Sections 841 and 846 and Title 18, United States Code, Section 2 (narcotics trafficking and narcotics conspiracy); acts indictable under Title 18, United States Code, Sections 1951 and 2 (Hobbs Act robbery); and acts indictable under Title 18, United States Code, Sections 1343, 1344, and 2 (bank and wire fraud).

10. On or about August 13, 2019, in the Southern District of New York, BRUCE SILVA, a/k/a "Brucie," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position

in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 105 East 175th Street in the Bronx, New York, SILVA shot at a rival gang member, and hit another individual, causing paralysis, in violation of New York Penal Law, Sections 120.05(2), 120.10, 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT THREE
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(SILVA)

The Grand Jury further charges:

11. On or about August 13, 2019, in the Southern District of New York, BRUCE SILVA, a/k/a “Brucie,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Two of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT FOUR
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(SILVA and MELVIN)

The Grand Jury further charges:

12. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

13. On or about May 9, 2021, in the Southern District of New York, BRUCE SILVA, a/k/a “Brucie,” and BRUCE MELVIN, a/k/a “BG,” the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of Jerome Avenue and East 177th Street in the Bronx, New York, SILVA and MELVIN shot at rival gang members, in violation of New York Penal Law, Sections 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT FIVE
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(SILVA and MELVIN)

The Grand Jury further charges:

14. On or about May 9, 2021, in the Southern District of New York, BRUCE SILVA, a/k/a “Brucie,” and BRUCE MELVIN, a/k/a “BG,” the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Four of this Indictment, and during and in

relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT SIX
(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)
(SILVA)

The Grand Jury further charges:

15. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

16. On or about October 14, 2021, in the Southern District of New York, BRUCE SILVA, a/k/a “Brucie,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of Walton Avenue and East Tremont Avenue in the Bronx, New York, SILVA shot at another member of Dub City, in violation of New York Penal Law, Sections 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT SEVEN
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(SILVA)

The Grand Jury further charges:

17. On or about October 14, 2021, in the Southern District of New York, BRUCE SILVA, a/k/a “Brucie,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Six of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT EIGHT
**(Accessory After the Fact to Assault with a Dangerous
Weapon and Attempted Murder in Aid of Racketeering)**
(BENNETT)

The Grand Jury further charges:

18. On or about October 14, 2021, in the Southern District of New York, JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” the defendant, knowing that an offense against the United States had been committed, to wit, the assault with a dangerous weapon and attempted murder in aid of racketeering in the vicinity of Walton Avenue and East Tremont Avenue in the Bronx, New York, as charged in Count Six of this Indictment, received, relieved, comforted, and assisted an offender in order to hinder and prevent his apprehension, trial, and punishment.

(Title 18, United States Code, Section 3.)

COUNT NINE
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(MELVIN)

The Grand Jury further charges:

19. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

20. On or about June 2, 2021, in the Southern District of New York, BRUCE MELVIN, a/k/a “BG,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of Walton Avenue and East Burnside Avenue in the Bronx, New York, MELVIN and a co-conspirator shot at other Dub City gang members, in violation of New York Penal Law, Sections 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT TEN
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(MELVIN)

The Grand Jury further charges:

21. On or about June 2, 2021, in the Southern District of New York, BRUCE MELVIN, a/k/a “BG,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Nine of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT ELEVEN
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(MELVIN)

The Grand Jury further charges:

22. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

23. On or about May 9, 2022, in the Southern District of New York, BRUCE MELVIN, a/k/a “BG,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual

with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 2090 Morris Avenue in the Bronx, New York, MELVIN shot at a rival gang member, in violation of New York Penal Law, Sections 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT TWELVE
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(MELVIN)

The Grand Jury further charges:

24. On or about May 9, 2022, in the Southern District of New York, BRUCE MELVIN, a/k/a “BG,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Eleven of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT THIRTEEN
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(POUGH)

The Grand Jury further charges:

25. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

26. On or about March 16, 2021, in the Southern District of New York, ELIJAH POUGH, a/k/a “Eli,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 12 East 177th Street in the Bronx, New York, POUGH shot at an individual, in violation of New York Penal Law, Sections 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT FOURTEEN
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(POUGH)

The Grand Jury further charges:

27. On or about March 16, 2021, in the Southern District of New York, ELIJAH POUGH, a/k/a “Eli,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Thirteen of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT FIFTEEN
**(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)**
(POUGH)

The Grand Jury further charges:

28. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

29. On or about August 12, 2021, in the Southern District of New York, ELIJAH POUGH, a/k/a “Eli,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 1973 Walton Avenue in the Bronx, New York, POUGH shot at another Dub City gang member, causing injury to another Dub City gang member, in violation of New York Penal Law, Sections 120.05(2), 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT SIXTEEN
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(POUGH)

The Grand Jury further charges:

30. On or about August 12, 2021, in the Southern District of New York, ELIJAH POUGH, a/k/a “Eli,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering

charged in Count Fifteen of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT SEVENTEEN
(Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering)
(MCBRIDE)

The Grand Jury further charges:

31. Paragraphs One through Five, Eight, and Nine of this Indictment are repeated and incorporated by reference as though fully set forth herein.

32. On or about June 20, 2022, in the Southern District of New York, SHADELL MCBRIDE, a/k/a “Deli,” the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Dub City, and for the purpose of gaining entrance to and maintaining and increasing position in Dub City, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 1979 Walton Avenue in the Bronx, New York, MCBRIDE shot and injured a member of another gang, in violation of New York Penal Law, Sections 120.05(2), 125.25, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), and 2.)

COUNT EIGHTEEN
**(Use of a Firearm in Furtherance of Assault with a
Dangerous Weapon and Attempted Murder)**
(MCBRIDE)

The Grand Jury further charges:

33. On or about June 20, 2022, in the Southern District of New York, SHADELL MCBRIDE, a/k/a “Deli,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Seventeen of this Indictment, and during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime possessed a firearm, and aided and abetted the use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT NINETEEN
(Narcotics Conspiracy)
(All Defendants)

The Grand Jury further charges:

34. From at least in or about 2019 through at least in or about April 2023, in the Southern District of New York and elsewhere, BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, and others known and unknown, intentionally and knowingly combined, conspired,

confederated, and agreed together and with each other to violate the narcotics laws of the United States.

35. It was a part and an object of the conspiracy that BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

36. The controlled substances involved in the offense were (i) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C); (ii) mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C); (iii) mixtures and substances containing a detectable amount of oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C); (iv) mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as “crack,” in violation of Title 21, United States Code, Section 841(b)(1)(C); and (v) less than 50 kilograms of marijuana, which was intentionally and knowingly possessed with intent to distribute for remuneration, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

COUNT TWENTY
**(Use, Carrying, and Possession of a Firearm in
Furtherance of Narcotics Conspiracy)**

The Grand Jury further charges:

37. From at least in or about 2019 through at least in or about April 2023, on occasions other than those charged in Counts Three, Five, Seven, Ten, Twelve, Fourteen, Sixteen, and Eighteen of this Indictment, BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Nineteen of this Indictment, knowingly used and carried a firearm, and, in furtherance of such crime, possessed a firearm, and aided and abetted the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATION AS TO COUNT ONE

38. As a result of committing the offense alleged in Count One of this Indictment, BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any interest acquired and maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. any interest in, security of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise which the defendant has established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and

c. any property constituting and derived from any proceeds which the defendant obtained, directly and indirectly, from racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

FORFEITURE ALLEGATION AS TO COUNT NINETEEN

39. As a result of committing the offense alleged in Count Nineteen of this Indictment, BRUCE SILVA, a/k/a “Brucie,” BRUCE MELVIN, a/k/a “BG,” JORDAN BENNETT, a/k/a “Billy Bandz,” a/k/a “J Bills,” ELIJAH POUGH, a/k/a “Eli,” SHADELL MCBRIDE, a/k/a “Deli,” JUSTIN BALLESTER, a/k/a “J-Gunz,” ALZUBAIR SALEH, a/k/a “Sammy,” GIOVANNI RODRIGUEZ, a/k/a “Karrot,” GABRIEL VALDEZ, a/k/a “Wolf,” and EMMANUEL PEREZ, a/k/a “Manny,” a/k/a “Haven,” the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said

offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

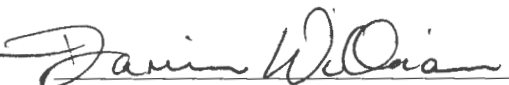
40. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1963;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney

True bill.
Warrants Issued,
~~Assented~~ Sealed
21

USMJ Willis 4/18/23
